



Serial No. 09/887,035

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ramkumar SUBRAMANIAN, et al.  
Title: TWO MASK PHOTORESIST EXPOSURE  
PATTERN FOR DENSE AND ISOLATED  
REGIONS  
Appl. No.: 09/887,035  
Filing Date: 06/25/2001  
Examiner: K. Sagar  
Art Unit: 1756

**DECLARATION UNDER 37 C.F.R. § 1.131**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

**PURPOSE OF DECLARATION**

1. This Declaration is submitted to establish conception of the invention in this application in the United States, on a date before January 18, 2001, which is the filing date of U.S. Published Application US 2002/0094482 A1 to Mansfield et al. ("Mansfield"), and diligence from January 18, 2001 to the June 25, 2001 constructive reduction to practice date. Mansfield was cited by the Examiner in an Office Action dated January 18, 2003 in the above-identified application. The person making this declaration is one of the attorneys employed by the law firm of Foley & Lardner who participated in preparation of the present application.

**FACTS AND DOCUMENTARY EVIDENCE**

2. The attached AMD Invention Disclosure (Exhibit 1) is submitted as evidence that the invention claimed in this application was conceived prior to January 18, 2001.

3. All the dates have been deleted from Exhibit 1 to preserve the conception date in confidence. However, Declarant certifies that the redacted dates are earlier than January 18, 2001.

4. The AMD Invention Disclosure demonstrates that the inventors conceived using separate masks to separately print dense and isolated vias and to vary the illumination, focus, numerical aperture (NA) and partial coherence (sigma) for each mask. The AMD Invention Disclosure also demonstrates that the inventors conceived using values of exposure dose and defocus in a respective process window outside of an overlap between the respective process windows.

5. I received the attached AMD Invention Disclosure prior to January 18, 2001. I also discussed the invention with Mr. Phil Articola, an attorney at Foley & Lardner, who visited AMD prior to January 18, 2001, and received an oral description of the invention from Ramkumar Subramanian, one of the inventors of the present application.

6. I was assigned to prepare seven new AMD applications on the same date prior to January 18, 2001. The seven applications were prioritized by AMD. The present application was prioritized to be prepared last out of the seven applications.

7. From a date just prior to January 18, 2001 to March 26, 2001, I was working on the other six AMD applications that were assigned to me as well as on other legal matters which I took up in chronological order.

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8. From March 26, 2001 to April 6, 2001, I prepared a first draft of the present application based on the AMD Invention Disclosure and on the oral description of the invention by Mr. Subramanian to Mr. Articola.

9. On April 6, 2001, I emailed a first draft of the present application to Mr. Subramanian, to allow him and his co-inventors to review the application. On April 16,

2001, Mr. Subramanian telephoned me and requested additional information about the present application, which I provided.

10. On May 3, 2001, Mr. Subramanian telephoned me again and provided comments about the first draft of the application.

11. On May 4 and May 7, 2001, I worked to revise the application as suggested by Mr. Subramanian. On May 7, 2001, I mailed a final draft of the application, the declaration form and the assignment form to the AMD patent department, along with a cover letter dated May 7, 2001 (Exhibit II), asking the inventors to sign the forms.

12. On June 19, 2001, Foley & Lardner received a letter dated June 15, 2001 from the AMD patent department (Exhibit III), with enclosed signed declaration and assignment forms.

13. I then forwarded the signed forms and a copy of the application to Foley & Lardner patent processing staff, who prepared the application filing forms and filed the application under my supervision on June 25, 2001.

#### CONCLUSION

14. The attached exhibits provide evidence of the conception of the invention in this application before January 18, 2001 and diligence in preparing and filing the application from January 18, 2001 to June 25, 2001. Each of the dates deleted from Exhibit 1 is earlier than January 18, 2001.

15. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

A handwritten signature in black ink, appearing to read "Leon Radomsky", is written over a horizontal line.

Date: March 18, 2003

Leon Radomsky

Attorney for Applicants

Reg. No. 43,445